

FILED**UNITED STATES DISTRICT COURT**

MAY 27 2016

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY AK DEPUTYfor the
Western District of Texas

United States of America)

v.)

Case No. DR 16-5799M-01

Kolby Coffey)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

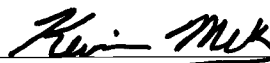
On or about the date(s) of 5/25/2016 in the county of Maverick in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

841 (a) (1)

UNLAWFULLY, KNOWINGLY, AND INTENTIONALLY
POSSESS WITH INTENT TO DISTRIBUTE
APPROXIMATELY 32.5 GROSS GRAMS OF
METHAMPHETAMINE, A SCHEDULE II
CONTROLLED SUBSTANCE.

This criminal complaint is based on these facts:

See Attachment A

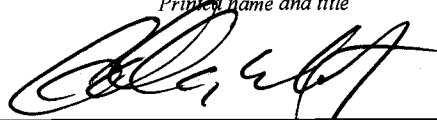
☒ Continued on the attached sheet.

Complainant's signature

DEA SA Kevin Mello

Printed name and title

Sworn to before me and signed in my presence.

Date: 5/27/2016

Judge's signature

City and state: Del Rio, Texas

Collis White, U.S. Magistrate Judge

Printed name and title

DR16-5199M-01

ATTACHMENT A

On May 25, 2016, at approximately 11:30 am, a white Ford Explorer arrived at the U. S. Border Patrol (USBP) Immigration checkpoint located on Highway 57, approximately 12 miles northeast of Eagle Pass, Texas. During the initial arrival of the vehicle, the driver of the vehicle was argumentative and began to record his interaction with USBP on a dash camera. USBP directed the vehicle to secondary inspection based on a canine alert of possible controlled substances or concealed humans in the vehicle.

Upon arrival to secondary inspection area, Agents contacted Kolby COFFEY the driver of the vehicle and the passenger of the vehicle. Kolby COFFEY verbally acknowledged and consented to a search of both the exterior and interior of the vehicle at this time. A canine alerted to the rear passenger side door of the vehicle. Once inside the vehicle, the canine immediately began to alert to a plastic tool box located in the cargo area of the vehicle. Based on this alert, Agent Cherry removed the plastic tool box from the vehicle and noticed a combination lock on the tool box. Agent Wasser then asked COFFEY for the combination to the toolbox lock, which COFFEY did not provide, disclaiming ownership of the toolbox and vehicle.

From the corner of the tool box, USBP agents could see that the tool box contained several tools and an ammo can which had several locks on it. USBP obtained access to the tool box in order to gain access to the ammo can, which was located inside the tool box. Upon manipulation of the ammo can, agents could see what appeared to contain several handguns. Agent Wasser then shined his flashlight inside of the ammo can and could see a bag containing white crystals.

Inside the ammo can, agents discovered a Berretta 9mm handgun containing a magazine with five rounds of ammunition. The serial number of the handgun was not visible and appeared to have been removed from the firearm. The ammo can also contained a Ruger LC9 handgun "serial number 32531909" with eleven rounds of ammunition. According to a Border Patrol records check this handgun had been reported stolen. The ammo can also contained a bag with a white crystal substance which field tested positive as methamphetamine with a total weight of 32.5 grams. Also found inside the ammo can was a scale, commonly used in the weighing of controlled substances for distribution, as well as a ski mask.

During the search of the vehicle, USBP observed COFFEY drop two keys from his hat, pick them up, and place them in his pocket. Subsequently, COFFEY was placed in a holding cell during the investigation. USBP then noticed that COFFEY had broken and flushed those keys down the toilet. USBP was able to recover only the head of one key.

A known associate of COFFEY'S indicated that the toolbox, ammo can, and its contents were COFFEY'S. During a consensual search of COFFEY'S residence, agents discovered a set of keys in the living room of the residence, one of which matched the lock to the ammo can found in COFFEY'S vehicle. COFFEY'S associate confirmed that those keys belonged to COFFEY.

Also found at the search of COFFEY's residence was an additional 400 grams of methamphetamine, approximately five pounds of marijuana, an additional two firearms, baggies and rolling paper, and drug ledgers. COFFEY's associate identified these items as belonging to COFFEY.



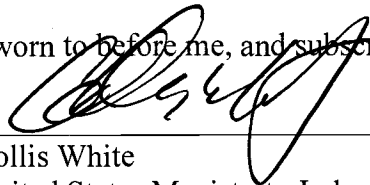
May 27, 2016,

Kevin Mello

Special Agent

Drug Enforcement Administration

Sworn to before me, and subscribed in my presence,



Collis White

United States Magistrate Judge

Western District of Texas